



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P. (MD)No.12727 of 2020

WEB COPY

1.Muthuselvi
2.Minor Sathya Vadhana
(Represented on behalf of the
second petitioner
by mother and natural
guardian - 1st petitioner)

... Petitioners/Petitioners

Vs.

Karuppaiah

... Respondent/Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the family Court, Tirunelveli District to expedite and complete the trial in M.C.No.40 of 2018 within the stipulated time framed by this Court.

For Petitioners : Ms.N.Juliet Latha

O R D E R

This Criminal Original Petition has been filed to direct the family Court, Tirunelveli District to expedite and complete the trial in M.C.No.40 of 2018 within the stipulated time framed by this Court.

2.The case of the petitioners is that the respondent and the first petitioner are husband and wife. Out of their wedlock, one female baby was born. There was a misunderstanding between them and the respondent tortured the first petitioner physically by beating and throwing the things on the petitioner in a cruel manner. For the future of the second petitioner, the first petitioner filed the maintenance case in M.C.No.40 of 2018 before the Family Court, Tirunelveli District.

3.The learned counsel for the petitioners would state that since the respondent is not co-operating with the case, the learned counsel, who is appearing for the respondent before the Court below is not appeared and thereafter, the respondent appeared in person and sought permission to appoint the counsel from the District Legal Service Authority. She further submitted that though the respondent is working as a Government Teacher, he engaged the counsel through Legal Aid Service and he dragging on the matter, without paying any maintenance to the first petitioner who has got minor daughter aged about seven years. According to the first petitioner, the respondent got Rs.80,000/- as monthly salary. Therefore, the petitioner has come forward with the present petition for a direction to the Court



below to complete the proceedings in M.C.No.40 of 2018 as expeditiously as possible.

4.Since this Petition is filed for early disposal of the maintenance case, no notice is necessary to the respondent herein.

5.Considering the submission made by the learned counsel for the petitioners and also considering the fact that the matter is pending from 2018 onwards, a direction is issued to the learned Judge, Family Court, Tirunelveli District to complete the trial in M.C.No.40 of 2018 within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1.The Judge
Family Court
Tirunelveli District, Tirunelveli.

+1 CC to M/s.N. JULIET LATHA, Advocate (SR-21831[F] dated 11/11/2020)

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CK(CO)

NR (01/12/2020) 2P : 3C